

State and Local Government Sweatfree Consortium Interim Steering Committee

October 27, 2008 - 2:00pm – 3:10pm EST

Present:

Farshid Yazdi, Los Angeles

Julie Su, Asian Pacific-American Legal Center, Los Angeles

Liz Long, AFCME Council 13

Roxana Dietz, Pennsylvania

Jeff Mandel, Pennsylvania

Bama Athreya, International Labor Rights Forum

Eric Dirnbach, UNITE HERE

Carmen Herrera, San Francisco

Chip Gavin, Maine

Colleen Gardner, New York

Bjorn Claeson, SweatFree Communities (facilitator)

Liana Foxvog, SweatFree Communities (note-taker)

1. Agenda Review: Agenda adopted as proposed.
2. September minutes: Minutes approved as written.
3. **Confirmation of meeting times: Third Monday of the month at 11 a.m. Pacific / 2 p.m. Eastern.** Jeff Mandel will reserve the conference call line.
4. Local updates:
 - a. Governor of Ohio has instructed staff to develop a sweatfree procurement policy. We expect it to include Consortium membership.
<http://www.governor.ohio.gov/News/PressReleases/2008/October2008/News101608/tabid/871/Default.aspx>
 - b. In Portland, Oregon, an ordinance was adopted following a year-long policy committee drafting process. Includes membership in Consortium.
<http://sweatfree.org/policies/portlandpolicy.pdf>
 - c. Maine is going through rule-making process to collect the 1% fee on applicable purchases for Consortium membership. Effective date is first quarter of 2009.
5. Update on RFP
 - a. Pennsylvania has pulled the RFP from the web because it needs revision. The phrase "independent from any garment monitoring organization" (section IV-2-D) has limited 99.9% of the contractors that could bid on it, so it will be removed.
 - b. NASPO has asked that it be referred to as a multi-state purchasing agreement, rather than a NASPO agreement.
 - c. Have received questions from SweatFree Communities and from small businesses that have asked if they can partner with larger businesses that might receive the apparel contract. Have not yet received questions from independent monitors.
 - d. Plan to include a line item on the solicitation for additional activities requested by states; for example, states could request worker outreach and education.

- e. **Timeline: New RFP will be posted November 14. Questions will be due beginning of December. An in-person conference will be held in PA in beginning of December; potential bidders will have the opportunity to sit down together with PA procurement department and discuss the RFP. Bid will be due in January.**
 - f. Some of the PA minority and women-owned businesses are interested in providing additional services so are interested to attend that preconference.
6. Bjorn: Is it technically possible for the Consortium to contract with an independent monitor? If it were possible, it would make the monitoring process a true cooperative endeavor. The monitor would have one relationship with one entity, rather than several entities. Will be easier for the states. **Next step: Roxana will discuss this question with the lawyers she works with.**
7. Revisions to White Paper:
- a. Background: Initial draft written by SweatFree Communities was presented at March 2007 meeting in Harrisburg. Since then this group has been making revisions based on best practices and questions raised by stakeholders. The sections with new text are 6 and 7.
 - b. Farshid: How to make sure that we're not creating a closed market of approved vendors? We want to ensure a competitive process by which more vendors will be able to be qualified. How do we ensure that vendors will have the incentive to invest the time and money to ensure they aren't using sweatshops? In return, we are offering long-term contracts. Bjorn: Expanding the market has to be part of our solution. Right now we have a handful of states and cities committed to this; as we grow the market and get more states and cities interested, there will be increasing incentives for the states and cities.
 - c. Carmen: Cities want to encourage local suppliers to be able to receive contracts. SF has MOUs with local vendors; part of the requirement is that the vendor needs to have a local store in the city. Bama read through the general principles (section 5) and it was determined that none of them conflict with this goal.
8. 6.1 "Verify that factories and vendors comply with the Consortium and Consortium members' sweatfree code of conduct"
- Bama: It's not enough to only respond to alleged violations but also need to do prescreening so can give the opportunity for factories and vendors committed to doing the right thing the ability to benefit economically. **No concerns about this proactive method to identify compliant.**
- Julie: it's a more comprehensive approach to the needs of the entities involved than pure complaints-based monitoring. The interest in supporting local production and local vendors fits within this. The whole purpose of this is not to limit the factories that are in the supply chain but to encourage more factories to become sweatfree. **There was consensus by those in the meeting to this approach.**
9. Section 6.2 – Bjorn: If we have a central database of prescreened factories then those factories, and the vendors that source from the factories, will benefit more than if each database is maintained separately by individual states. Will make it

easier to comply and therefore should have more bidders that will try to comply and more that will be qualified.

10. There will be a prescreening process. Current suppliers will be able to submit their current factories for prescreening.
11. 6.3 – Suggestion by Colleen: Would be helpful to further define the words “assist” and “implementation”. Bjorn thought that “assistance” might include how to obtain factory disclosures, education on the relevant ILO conventions, provision of non-poverty wage calculations and information on how to implement the standards. **Next step: Colleen and Farzhid will provide specific suggestions on the sort of assistance from the Consortium that would be helpful.**
12. 6.4. proposes that complaints go to the Consortium. In the RFP, it is set to go directly to the city/state. Perhaps it could go to both the city/state and the Consortium simultaneously. Eric: we want a mechanism for all the cities/states sourcing from a factory to know about a complaint, so it will make sense for it to go through the Consortium.
13. 6.5 – Farzhid agreed that it will be necessary to have outreach, education, and marketing programs to expand the Consortium.
14. Transition period: Bjorn said that since we’re thinking of a different way of doing business, a series of consultations with stakeholders will be necessary to create the smoothest possible transition to an incentive program for sweatfree apparel. The goals of the consultations will be to develop possible partners in delivering sweatfree apparel.
- 15. There appeared to be consensus from the group on sections 5 and 6.**
16. Next meeting: Monday, Nov. 17, 11 a.m. Pacific / 2 p.m. Eastern. 1-866-683-1803, Pin # 8891
17. Possible November agenda:
 - a. Continue discussion on section 7.
 - b. Seek overall agreement on the latest version of the White Paper (pending any revisions).
 - c. Discuss holding a meeting to formally “launch” the Consortium in spring 2009.